

**SUPREME COURT MINUTES  
TUESDAY, NOVEMBER 4, 1997  
SACRAMENTO, CALIFORNIA**

The Supreme Court of California convened in its courtroom in the Library and Courts Building, Sacramento, California on Tuesday, November 4, 1997, at 9:00 a.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Mosk, Kennard, Baxter, Werdegard, Chin, and Brown.

Officers present: Robert F. Wandruff, Clerk; George Rodgers, Harry Kinney, and Walter Grabowski, Bailiffs.

S060863      In re Estate of Louis Joseph, Deceased

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Kim Barnum-Smith, Appellant

v.

James C. Joseph, Respondent

Cause called. Thomas V. Roland argued for Appellant.

Dena R. Thaler argued for Respondent.

Mr. Roland replied.

Cause submitted.

S057081      In re Marriage of Brent N. Moss, Petitioner

v.

Riverside County Superior Court, Respondent

Tamara S. Moss, Real Party in Interest

Cause called. James P. Fullmer, Supervising Deputy District Attorney Riverside County, argued for Real Party in Interest.

Taylor L. Huff, Deputy Public Defender Riverside County, opened argument for Petitioner.

Floyd Zagorsky, Chief Assistant Public Defender Riverside County, continued argument for Petitioner.

Mr. Fullmer replied.

Cause submitted.

Justice Mosk, not participating in consideration of the following case, did not take the bench.

The Honorable Coleman A. Blease, Court of Appeal, Third District, sitting on the following case under assignment by the Chairperson of the Judicial Council, joined the Court at the bench.

S056659      Lockheed Information Management Services Company, Appellant  
                         v.  
                         City of Inglewood, Respondent  
                         Cause called. Richard M. Mosk argued for Respondent  
                         Patrick McAdam argued for Appellant.  
                         Mr. Mosk replied.  
                         Cause submitted.

Court recessed until 1:30 p.m. this date.

Court reconvened pursuant to recess.

Justice Blease, not participating in the following matters, departs the bench. The Court is joined at the bench by Justice Mosk. All other officers were present as before shown.

S052788      In re Edwin Winslow Bennett on Habeas Corpus

## People, Respondent

V.

Edwin Winslow Bennett, Appellant

Cause called. Karl T. Terp, Deputy Attorney General, argued for Respondent.

Martin Buchanan argued for Appellant.

Mr. Terp replied.

Cause submitted.

S057270      Ricky Lynn Pitts et al., Appellants  
                 v.  
                 County of Kern et al., Respondents  
                 Cause called. Mark L. Nations, Chief Deputy County Counsel  
                 Kern County, opened argument for Respondent.  
                 Thomas McCardle, appearing for Amicus Curiae California  
                 District Attorneys Association, continued argument for Respondent.  
                 Stanley M. Becker argued for Petitioner.  
                 Mr. Nations replied.  
                 Cause submitted.

S012032      People, Respondent  
                 v.  
                 Robert Green Fairbank, Jr., Appellant  
                 Cause called. Robert Navarro argued for Appellant.  
                 Ann K. Jensen, Deputy Attorney General, argued for  
                 Respondent.  
                 Mr. Navarro replied.  
                 Cause submitted.

Court recessed until 9:00 a.m., Wednesday, November 5, 1997.

S058851      In re Richard Gonzales Samayoa  
                 on  
                 Habeas Corpus  
                 On application of petitioner and good cause appearing, it is  
                 ordered that the time to serve and file petitioner's reply to informal  
                 response to the petition for writ of habeas corpus is extended to and  
                 including December 3, 1997.

S060675      In re Robert Henry Nicolaus  
                 on  
                 Habeas Corpus  
                 On application of respondent and good cause appearing, it is  
                 ordered that the time to serve and file respondent's informal  
                 response to the petition for writ of habeas corpus is extended to and  
                 including November 17, 1997.

S062379      People, Respondent

v.

Terry Birkett, Appellant

Upon request of appellant for appointment of counsel, Patricia J. Ulibarri, is hereby appointed to represent appellant on his appeal now pending in this court.

Appellant's brief on the merits shall be served and filed on or before thirty (30) days from the date of this order.